

HOUSE BILL 25

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C3

2003 Regular Session  
(31r0573)

ENROLLED BILL

-- Health and Government Operations/Finance --

Introduced by ~~Delegate Hammen~~ Delegates Hammen, Benson, Boutin, Bromwell, Costa, Donoghue, Elliott, Goldwater, Haynes, Hubbard, Hurson, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rosenberg, Rudolph, Smigiel, V. Turner, and Weldon

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health Insurance - Task Force to Study Access to Mental Health Services**

3 FOR the purpose of establishing the Task Force on Access to Mental Health Services;  
4 specifying the duties of the Task Force; specifying the members of the Task  
5 Force; requiring the members of the Task Force to select a chairman of the Task  
6 Force; *requiring the Task Force to invite the participation of and solicit*  
7 *commentary from certain interested parties;* requiring the Task Force to submit  
8 a certain ~~report~~ *reports* to the Governor and the General Assembly by a certain  
9 ~~date~~ *dates*; providing for the termination of this Act; and generally relating to  
10 access to mental health services.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That:

13 (a) There is a Task Force on Access to Mental Health Services.

1 (b) The Task Force consists of the following members:

2 (1) Two members of the Senate of Maryland, appointed by the President  
3 of the Senate;

4 (2) Two members of the House of Delegates, appointed by the Speaker of  
5 the House;

6 (3) The Secretary of Health and Mental Hygiene or the Secretary's  
7 designee;

8 (4) The Maryland Insurance Commissioner or the Commissioner's  
9 designee;

10 ~~(5) The Executive Director of the Maryland Health Care Commission or~~  
11 ~~the Executive Director's designee;~~

12 ~~(6) The Special Secretary for Children, Youth, and Families or the~~  
13 ~~Special Secretary's designee;~~

14 ~~(5)~~ ~~(7)~~ (5) The following members appointed by the Maryland  
15 Insurance Commissioner:

16 (i) ~~One representative of the commercial health insurance~~  
17 ~~industry;~~

18 (ii) ~~One representative of a commercial health maintenance~~  
19 ~~organization; and~~

20 ~~(i) Three representatives of carriers offering health care coverage~~  
21 ~~in the commercial market;~~

22 ~~(ii) A representative of the business community; and~~

23 (i) One representative of the commercial health insurance industry;

24 (ii) One representative of a commercial health maintenance  
25 organization; and

26 (iii) One representative of the managed behavioral health care  
27 industry; ~~and~~

28 ~~(6)~~ ~~(8)~~ (6) The following members appointed by the Secretary of  
29 Health and Mental Hygiene:

30 (i) One representative of the Maryland Hospital Association;

31 (ii) One representative of the Mental Health Association of  
32 Maryland;

- 1 (iii) One representative of the Community Behavioral Health  
 2 Association of Maryland;
- 3 (iv) One representative of Maryland's pediatric mental health  
 4 community;
- 5 ~~(v) One psychiatrist licensed in Maryland, nominated by the~~  
 6 ~~Maryland Psychiatric Society;~~
- 7 ~~(vi) One physician licensed in Maryland, nominated by MedChi;~~
- 8 ~~(vii) One psychologist licensed in Maryland; and~~
- 9 ~~(vi) (viii) One social worker licensed in Maryland;~~
- 10 ~~(ix) One representative of the Coalition on Aging and Mental~~  
 11 ~~Health;~~
- 12 ~~(x) One representative of Core Service Agencies;~~
- 13 ~~(xi) One representative of the Developmental Disabilities Coalition~~  
 14 ~~of Maryland;~~
- 15 ~~(xii) One consumer of mental health services;~~
- 16 ~~(xiii) One representative of NAMI MD;~~
- 17 ~~(xiv) One representative of the Maryland Association of Resources for~~  
 18 ~~Families and Youth;~~
- 19 ~~(xv) One representative of the Pro Bono Counseling Project; and~~
- 20 ~~(xvi) One representative of the early childhood mental health~~  
 21 ~~community.~~
- 22 (v) *One consumer member who is the family member of an adult*  
 23 *who receives mental health care services;*
- 24 (vi) *One consumer member who is the family member of a child who*  
 25 *receives mental health care services; and*
- 26 (vii) *One consumer member who receives mental health services; and*
- 27 (7) *One member representing the rural mental health community*  
 28 *appointed by the Forum for Rural Maryland.*
- 29 (c) *The Task Force shall invite the participation of and solicit commentary*  
 30 *from all interested parties who are not members of the Task Force.*
- 31 (e) (d) The members of the Task Force shall select a chairman from the  
 32 membership of the Task Force.

1 ~~(d)~~ (e) The Maryland Insurance Administration and the Department of  
2 Health and Mental Hygiene shall provide staff for the Task Force.

3 ~~(e)~~ (f) A member of the Task Force:

4 (1) May not receive compensation; but

5 (2) Is entitled to reimbursement for expenses under the Standard State  
6 Travel Regulations, as provided in the State budget.

7 ~~(f)~~ (g) The Task Force shall study and make recommendations regarding:

8 (1) ~~Study and make recommendations regarding compliance by~~  
9 ~~commercial health insurers and health maintenance organizations with the~~ Whether  
10 any changes should be made to the mental health parity requirements under  
11 § 15-802 of the Insurance Article and § 19-703.1 of the Health - General Article; and

12 ~~(2) (i) Examine the systemic barriers experienced by~~  
13 ~~commercially-insured individuals when attempting to access community treatment;~~  
14 ~~and~~

15 ~~(ii) Make recommendations to ensure that commercially-insured~~  
16 ~~individuals have access to medically-necessary mental health treatment.~~

17 (2) *The systemic barriers experienced by commercially-insured*  
18 *individuals when attempting to access community treatment;*

19 (3) *How to ensure that commercially-insured individuals have access to*  
20 *medically-necessary mental health treatment;*

21 ~~(2) (4) The differences~~ *difference in the coverage of mental health*  
22 *services coverage provided by among the public mental health system, commercial*  
23 *health insurers, and commercial health maintenance organizations;*

24 ~~(3) (5) The structure and effectiveness of the public and private mental~~  
25 ~~health care delivery system~~ *systems in the State; and*

26 ~~(4) The wages paid to mental health care workers and the impact of~~  
27 ~~those wages on quality of care; and~~

28 ~~(5) (6) The impact on the cost of health care coverage in the State of any~~  
29 ~~recommended changes on the cost of health care coverage to the coverage or delivery of~~  
30 ~~mental health care services.~~ *mental health care services.*

31 ~~(g) (h) The Task Force shall report~~ *On or before December 31, 2003, the Task*  
32 *Force shall issue a preliminary report of its findings, and on or before December 31,*  
33 *2004, shall issue a final report of its findings and recommendations to the Governor,*  
34 *and in accordance with § 2-1246 of the State Government Article, the General*  
35 *Assembly, on or before December 31, 2003* ~~2004.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect July 1, 2003. It shall remain effective for a period of 1 year and 6 months and,  
3 at the end of December 31, ~~2003~~ 2004, with no further action required by the General  
4 Assembly, this Act shall be abrogated and of no further force and effect.